



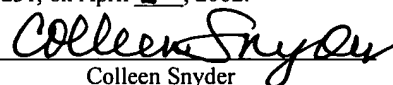
3738

ATTORNEY'S DOCKET NO: D0188/7125  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cherok, et al  
Application No.: 09/661,623  
Confirmation No. 8712  
Filed: September 14, 2000  
For: IMPLANTABLE PROSTHESIS  
Examiner: W. Matthews  
Art Unit: 3738

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on April 8, 2002.

  
Colleen Snyder

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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Sir:

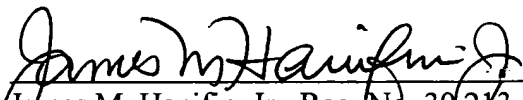
Transmitted herewith are the following documents:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449 and References; and
3. Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is due. If it is determined that a fee is due, it may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Cherok et al, Applicants*

  
James M. Hanifin, Jr., Reg. No. 39213  
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Date: April 8, 2002  
X04/18/02



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*Colleen Snyder*  
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COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Examiner's attention is directed to the enclosed International Search Report (ISR) for PCT/US01/28869, which is the international counterpart to the above-identified application.

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PART III: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

*Cherok et al., Applicant(s)*

By:   
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Dated: April 8, 2002  
x04/18/02